

# HOUSE BILL No. 1098

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-9-5.

**Synopsis:** Identity of persons making political contributions. Requires a political committee to report certain information relating to persons other than individuals, corporations, labor organizations, and political action committees that make contributions or loans to the committee.

**Effective:** July 1, 2003.

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January 7, 2003, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1098

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 3-9-5-14, AS AMENDED BY P.L.176-1999,  
2 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2003]: Sec. 14. (a) As used in this section, "threshold  
4 contribution amount" refers to the following:  
5 (1) For contributions made to a candidate's committee, a  
6 legislative caucus committee, or a political action committee, one  
7 hundred dollars (\$100).  
8 (2) For contributions made to a regular party committee, two  
9 hundred dollars (\$200).  
10 (b) The report of each committee's treasurer must disclose the  
11 following:  
12 (1) The amount of cash on hand and the value of any investments  
13 made by the committee at the beginning of the reporting period.  
14 (2) The total sum of individual contributions including  
15 transfers-in, accepted by the committee during its reporting  
16 period.  
17 (3) The following information regarding each person who has



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made one (1) or more contributions within the year, in an aggregate amount that exceeds the threshold contribution amount in actual value to or for the committee, including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events:

(A) The full name of the person.

(B) The full mailing address of the person making the contribution.

(C) The person's occupation, if the person is an individual who has made contributions to the committee of at least one thousand dollars (\$1,000) during the calendar year.

(D) The date and amount of each contribution.

**(E) If the person is a person other than an individual, a corporation, a labor organization, or a political action committee, the information required by section 14.5 of this chapter.**

(4) The name and address of each committee from which the reporting committee received, or to which that committee made, a transfer of funds, together with the amounts and dates of all transfers.

(5) If the reporting committee is a candidate's committee, the following information about each other committee that has reported expenditures to the reporting candidate's committee under section 15 of this chapter:

(A) The name and address of the other committee.

(B) The amount of expenditures reported by the other committee.

(C) The date of the expenditures reported by the other committee.

(D) The purpose of the expenditures reported by the other committee.

(6) Each loan to or from a person within the reporting period together with the following information:

(A) The full names and mailing addresses of the lender and endorsers, if any.

(B) The person's occupation, if the person is an individual who has made loans of at least one thousand dollars (\$1,000) to the committee during the calendar year.

(C) The date and amount of the loans.

**(D) If the loan is from a person other than an individual, a corporation, a labor organization, or a political action committee, the information required by section 14.5 of this**

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**chapter.**

(7) The total sum of all receipts of the committee during the reporting period.

(8) The full name, mailing address, occupation, and principal place of business, if any, of each person other than a committee to whom an expenditure was made by the committee or on behalf of the committee within the year in an aggregate amount that:

(A) exceeds one hundred dollars (\$100), in the case of a candidate's committee, legislative caucus committee, or political action committee; or

(B) exceeds two hundred dollars (\$200), in the case of a regular party committee.

(9) The name, address, and office sought by each candidate for whom any expenditure was made or a statement identifying the public question for which any expenditure was made, including the amount, date, and purpose of each expenditure.

(10) The full name, mailing address, occupation, and principal place of business, if any, of each person to whom an expenditure for personal services, salaries, or reimbursed expenses was made within the year in an aggregate amount that:

(A) exceeds one hundred dollars (\$100), in the case of a candidate's committee, legislative caucus committee, or political action committee; or

(B) exceeds two hundred dollars (\$200), in the case of a regular party committee;

and that is not otherwise reported, including the amount, date, and purpose of the expenditure.

(11) The total sum of expenditures made by the committee during the reporting period.

(12) The amount and nature of debts owed by or to the committee, and a continuous reporting of the debts after the election at the times required under this article until the debts are extinguished.

(c) If a committee:

(1) obtains a contribution;

(2) determines that the contribution should not be accepted by the committee; and

(3) does not receive and accept the contribution under IC 3-9-1-25(b);

the committee must return the contribution to the person who made the contribution. A returned contribution is not required to be listed on the report of the committee's treasurer. However, if the committee receives and deposits the contribution under IC 3-9-1-25(b) and subsequently

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determines that the contribution should be refunded, the receipt and refund of the contribution must be listed on the report of the committee's treasurer.

SECTION 2. IC 3-9-5-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 14.5. (a) This section applies to a person:**

- (1) other than an individual, a corporation, a labor organization, or a political action committee; and**
- (2) that makes a contribution.**

**(b) For purposes of this section, an individual is considered to have an interest in a person that makes a contribution or extends a loan if either of the following applies to the individual:**

- (1) The individual holds at least a five percent (5%) interest in the person that makes the contribution or extends the loan.**
- (2) The individual has authority to make a contribution or extend a loan on behalf of the person that makes the contribution or extends the loan.**

**(c) In addition to the information required by section 14 of this chapter, the treasurer of a committee must report the following information regarding each individual who has an interest in a person that makes a contribution or extends a loan to the committee:**

- (1) The full name of the individual.**
- (2) The full mailing address of the individual.**
- (3) The individual's occupation, if the person that makes the contribution or extends the loan makes contributions to the committee of at least one thousand dollars (\$1,000) during the calendar year.**

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